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replacement material out of said tube and into the fill space at an angle relative to a longitudinal axis of said tube, each said at least one deflector opening having a length of between about 1 D to 3 D, wherein D is the internal diameter of said tube, the distal end comprising a tip, the tip having a tapered shape.

3. (Amended) The [tool] system of claim 1 wherein each said deflector opening includes a deflector for deflecting bone replacement material from said tube through said deflector opening.

4. (Amended) The [tool] system of claim 3 including two opposing deflector openings and said deflector is a tapered wedge adjacent the distal end of said tube.

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5. (Amended) The [tool] system of claim 3 including a single deflector opening and said deflector presents an angled ramp to said deflector opening.

6. (Amended) The [tool] system of claim 5 wherein said distal end of said tube is closed or open up to 2 D[, wherein D is the diameter of said tube].

Please add new claims 7-12 as follows:

7. The system of claim one where in the wall of the fill container defines a plurality of openings, the plurality of openings being sufficiently small so as to prevent the bone replacement material from passing therethrough.

8. The system of claim 7 wherein each of the plurality of openings has a nominal diameter of about 0.25 mm to about 5 mm.

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9. The system of claim 7 wherein at least one of the plurality of openings is expandable from the nominal diameter to an enlarged diameter, the enlarged diameter being at least as large as outer diameter of the tube.

10. The system of claim 1 wherein the fill container comprises a mesh bag, the mesh bag having a plurality of openings therethrough, the plurality of openings sized to retain the bone replacement material within the fill opening.

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11. The system of claim 10 wherein the at least the distal end of the tube and at least one of the plurality of openings are of a complementary size to allow at least a portion of the distal end of the tube to pass through the at least one of the plurality of openings.

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12. A method of filling a bone cavity utilizing the system of claim 1 comprising the steps of:
inserting the fill container into a bone cavity;
filling at least a portion of the tube with the bone replacement material;
inserting at least a portion of the distal end of the tube into the fill space;
injecting the bone replacement material out of the at least one deflector opening
and into the fill space at the angle relative to the longitudinal axis of said tube; and
withdrawing the tube from the fill container.

REMARKS

In the Final Office Action the 35 U.S.C. §103(a) obviousness rejection to claims 1-6 in light of U.S. 5,577,517 to Bonutti was maintained from the previous action of October 1, 2002.

In response, Applicants have amended the claims to include with the tool to direct bone graft material other elements of a system for filling a bone cavity as is fully described in the